

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.03.2015

CORAM:

THE HON'BLE MR. JUSTICE SATISH K. AGNIHOTRI  
and  
THE HON'BLE MR. JUSTICE M. VENUGOPAL

W.P. No.31308 of 2014

Dr. S. Somasundaram

... Petitioner

Vs.

1. The Commissioner ,  
Corporation of Chennai,  
Ripon Buildings,  
Chennai-600 003.
2. The Executive Engineer,  
Zone-IX, Chennai-600 004.
3. The Assistant Executive Engineer,  
Zone-IX, Chennai 600 004.
4. The Commissioner of Police,  
Chennai City Police,  
Vepery, Chennai 600 007.
5. The Deputy Commissioner of Police,  
Chennai City Police,  
Mylapore Range, Mylapore,  
Chennai 600 004.
6. The Inspector of Police,  
Law and Order,  
E-1 Police Station,  
Mylapore, Chennai 600 004.
7. K. Sugumar
8. R. Shanmuga Raja

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents 1 to 6 to remove the encroachment before the premises New No.49, Old No.20, Second Lane, Rosary Church Road, Mylapore, Chennai 600 004 based on the representation dated 25.7.2014 given by the petitioner to the respondents 1 to 6.

For petitioner : No Appearance

For respondents : Mr. R. Arunmozhi - R1 to R3  
Mr. P.S. Sivashanmugasundaram  
Special Government Pleader - R4 to R6  
No Appearance - R7 & R8

ORDER

(Order of the Court was made SATISH K. AGNIHOTRI, J.)

The petitioner has come up with this writ petition seeking to remove the encroachment before the premises New No.49, Old No.20, Second Lane, Rosary Church Road, Mylapore, Chennai 600 004 based on his representation dated 25.7.2014. None appears nor is any representation made on behalf of the petitioner.

2. Pursuant to our notice dated 01.12.2014, the second respondent viz., the Executive Engineer, Zone-IX, Chennai-600 004, has filed an affidavit reporting removal of the structure in question and the paragraph-5 of the affidavit reads as under:-

" I submit that the 7<sup>th</sup> respondent has not removed the encroachment till 2.2.2015 at 9.a.m. Thereafter, Corporation of Chennai officials, Executive Engineer and Assistant Engineer have removed the encroachment with help of police authorities i.e. Assistant Commissioner of Police, Mylapore and Inspector of Police, E-1 Police Station on 2.2.2015 between 11 a.m. To 2.30 p.m. The entire structure has been removed by Corporation of Chennai and allowed footpath was free flow for walk by public now. I submit that as on date, there is no structure or any encroachment in front of the Door New No.49 Old No.20, 2<sup>nd</sup> lane, Rosary Church Road, Mylapore, Chennai. I submit that this Hon'ble Court order dated 27.1.2015 was fully complied with and also filing this affidavit with that effect."

3. In view of the foregoing, nothing survives for adjudication.  
This writ petition accordingly stands disposed of . No costs.

Sd/-  
Assistant Registrar

//True Copy//

ra

Sub Assistant Registrar

To

1. The Commissioner ,  
Corporation of Chennai,  
Ripon Buildings,  
Chennai-600 003.
2. The Executive Engineer,  
Zone-IX, Chennai-600 004.
3. The Assistant Executive Engineer,  
Zone-IX, Chennai 600 004.
4. The Commissioner of Police,  
Chennai City Police,  
Vepery, Chennai 600 007.
5. The Deputy Commissioner of Police,  
Chennai City Police,  
Mylapore Range, Mylapore,  
Chennai 600 004.
6. The Inspector of Police,  
Law and Order,  
E-1 Police Station,  
Mylapore, Chennai 600 004.

+1cc to Mr.R.ArumMozhi, Advocate, S.R.No.13726  
+1cc to Mr.S.Jayaseelan, Advocate, S.R.No.14237  
+1cc to the Government Pleader, S.R.No.13849

KK(CO)  
CA(20/03/2015)

W.P. No.31308 of 2014